

House Bill 1118

By: Representatives McBee of the 88th, Heard of the 89th and Hudgens of the 24th

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act providing for the unification of the existing governments of the City of
2 Athens and Clarke County and providing a charter for the unified government of
3 Athens-Clarke County, approved March 2, 1990 (Ga. L. 1990, p. 3560), as amended,
4 particularly by an Act approved January 15, 1993 (Ga. L. 1993, p. 3501), so as to change the
5 composition of the districts from which the members of the Commission of Athens-Clarke
6 County are elected; to provide for definitions and inclusions; to provide for the submission
7 of this Act for preclearance pursuant to Section 5 of the federal Voting Rights Act of 1965,
8 as amended; to provide for related matters; to provide an effective date; to repeal conflicting
9 laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 An Act providing for the unification of the existing governments of the City of Athens and
13 Clarke County and providing a charter for the unified government of Athens-Clarke County,
14 approved March 2, 1990 (Ga. L. 1990, p. 3560), as amended, particularly by an Act approved
15 January 15, 1993 (Ga. L. 1993, p. 3501), is amended by striking subsection (a) of Section
16 2-102 in its entirety and inserting in lieu thereof the following:

17 "(a) The terms of office of all members of the commission shall be four years and until
18 their successors are elected and qualified, except that a commissioner appointed to fill a
19 vacancy shall serve only for the balance of the unexpired term as provided in Section 2-106
20 of this charter. Those members of the commission elected from Districts 2, 4, 6, 8, and 10
21 who are serving in office on January 1, 2002, and any person selected to fill a vacancy in
22 such offices shall continue to serve until the expiration of the terms for which they were
23 elected, which shall expire at the first regular commission meeting in January, 2005, and
24 upon the election and qualification of their respective successors. Those members of the
25 commission elected from Districts 1, 3, 5, 7, and 9 who are serving in office on January 1,
26 2002, and any person selected to fill a vacancy in such offices shall continue to serve until

1 the expiration of the terms for which they were elected, which shall expire at the first
 2 regular commission meeting in January, 2003, and upon the election and qualification of
 3 their respective successors. At the general election immediately preceding the expiration
 4 of their terms of office, commissioners shall be elected from Districts 1, 2, 3, 4, 5, 6, 7,
 5 and 8 which shall be and correspond to those eight numbered districts described in and
 6 attached to and made a part of this Act and further identified as 'Plan Name:
 7 CLKOPTIONB Plan Type: Local User: H088 Administrator: Clarke'. At the general
 8 election immediately preceding the expiration of their terms of office, commissioners shall
 9 be elected from Districts 9 and 10 which shall be and correspond to those two numbered
 10 districts described in and attached to and made a part of this Act and further identified as
 11 'Plan Name: clkup02 Plan Type: Local User: Angela Administrator: Clarke'. All terms
 12 of office shall commence at the first regular meeting in January next following the election.
 13 Districts 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10 as they exist immediately prior to the effective date
 14 of this subsection shall continue to be designated as Districts 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10,
 15 respectively, but as newly described under this subsection, and, on and after the effective
 16 date of this subsection, such members of the commission serving from those former
 17 districts shall be deemed to be serving from and representing their respective districts as
 18 newly described under this subsection."

19

SECTION 2.

20 Said Act is further amended by striking Section 6-201 in its entirety and inserting in lieu
 21 thereof the following:

22

"SECTION 6-201.

23 Number of Districts; Boundaries. The territory of the unified government of Athens-Clarke
 24 County shall consist of ten commissioner districts. The boundaries of such districts shall
 25 be and correspond to those eight numbered districts described in and attached to and made
 26 a part of this Act and further identified as 'Plan Name: CLKOPTIONB Plan Type: Local
 27 User: H088 Administrator: Clarke' and to those two numbered districts described in and
 28 attached to and made a part of this Act and further identified as 'Plan Name: clkup02 Plan
 29 Type: Local User: Angela Administrator: Clarke'. When used in such attachments, the
 30 terms 'Tract' and 'BG' (Block Group) shall mean and describe the same geographical
 31 boundaries as provided in the report of the Bureau of the Census for the United States
 32 decennial census of 2000 for the State of Georgia. The separate numeric designations in
 33 a Tract description which are underneath a 'BG' heading shall mean and describe individual
 34 Blocks within a Block Group as provided in the report of the Bureau of the Census for the
 35 United States decennial census of 2000 for the State of Georgia. Any part of

1 Athens-Clarke County which is not included in any such district described in such
2 attachments shall be included within that district contiguous to such part which contains
3 the least population according to the United States decennial census of 2000 for the State
4 of Georgia. Any part of Athens-Clarke County which is described in such attachments as
5 being in a particular district shall nevertheless not be included within such district if such
6 part is not contiguous to such district. Such noncontiguous part shall instead be included
7 within that district contiguous to such part which contains the least population according
8 to the United States decennial census of 2000 for the State of Georgia. Except as otherwise
9 provided in the description of any district, whenever the description of such district refers
10 to a named city, it shall mean the geographical boundaries of that city as shown on the
11 census map for the United States decennial census of 2000 for the State of Georgia."

12 **SECTION 3.**

13 Said Act is further amended by striking Appendix A in its entirety and inserting in lieu
14 thereof the following:

15 "Appendix A
16 Reserved."

17 **SECTION 4.**

18 It shall be the duty of the attorney of the governing authority of Athens-Clarke County to
19 submit this Act for preclearance pursuant to Section 5 of the federal Voting Rights Act of
20 1965, as amended.

21 **SECTION 5.**

22 This Act shall become effective upon its approval by the Governor or upon its becoming law
23 without such approval.

24 **SECTION 6.**

25 All laws and parts of laws in conflict with this Act are repealed.